

LAKISHA LOVE, etc.,)
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 Plaintiff,)
)
 v.) No. 07 C 5714
)
 FRONTIER INSURANCE COMPANY, et al.,)
)
 Defendants.)

Counsel for plaintiff Lakisha Love ("Love"), as Special Administratrix of the Estate of Yolanda Price, deceased, and as assignee of Leopoldo Jurado, M.D., has mounted an extraordinarily powerful response to the Fed. R. Civ. P. ("Rule") 12(c) motion to dismiss that has been advanced by Frontier Insurance Company ("Frontier"). It would be an act of supererogation simply to repeat Love's grounds for the denial of the Rule 12(c) motion, and this Court will not (as it need not) do so. Instead it elects to carry out its "virtually unflagging obligation to exercise its jurisdiction (see, e.g., Quackenbush v. Allstate Ins. Co., 517 U.S. 706, 716 (1996), quoting that seminal Colorado River language and doctrine), in preference to relegating Love to the doubtful "remedy" that has perhaps been volunteered by Frontier's "consent" to modify the existing Rehabilitation Order in its New York forum.

In short, then, Frontier's motion is denied. At the next scheduled status hearing at 9 a.m. May 22, counsel for the

parties will be expected to discuss going forward with
appropriate expedition on the merits of this action.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style with a large initial 'M'.

Milton I. Shadur
Senior United States District Judge

Date: May 13, 2008